## UNITED STATES DISTRICT COURT WESTERN DISTRICT OF TEXAS MIDLAND-ODESSA DIVISION

FILED

JUN 2 4 2014

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS

BY

DEPUTY CLERK

## FINAL JUDGMENT

On this day, the Court entered an Order adopting the Report and Recommendation of the Magistrate Court and granting Movant's Motion to Vacate, Set Aside or Correct Sentence, filed pursuant to Title 28 U.S.C. §2255, for reasons clarified therein. The Court now enters its final judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.

- IT IS HEREBY ORDERED that the Report and Recommendation of the Magistrate Court is ADOPTED IN ITS ENTIRETY and Movant's Motion to Vacate is GRANTED.
- IT IS FURTHER ORDERED that the remainder of the above-captioned cause is DISMISSED WITH PREJUDICE.
- IT IS FURTHER ORDERED that all other pending motions, if any, are DENIED AS MOOT AND A CERTIFICATE OF APPEALABILITY WILL NOT ISSUE IN THIS CASE.

**SIGNED** on this <u>?</u> day of June, 2014.

Robert Junell

United States District Court Judge